

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:09-cv-00213-PB**

Deluca's Corp. v. CSWholesale Grocers et al
Assigned to: Judge Paul J. Barbadoro
Cause: 15:1 Antitrust Litigation

Date Filed: 06/19/2009
Date Terminated: 10/23/2009
Jury Demand: Plaintiff
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

Deluca's Corp.

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Defendant**CSWholesale Grocers**

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Defendant**SuperValu, Inc.**

represented by **Gordon J. MacDonald**
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Date Filed	#	Docket Text
06/19/2009	<u>1</u>	NEW CASE/ COMPLAINT with Jury Demand. Filing fee \$ 350, receipt number 0102000000000524211 filed by Deluca's Corp.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons – Waiver)(Cole, Christopher) (Additional attachment(s) added on 6/24/2009: # <u>3</u> Summons – Waiver Super-Valu, # <u>4</u> Proposed Order C(amm). (Entered: 06/19/2009)
06/22/2009	<u>2</u>	Disclosure Statement by Deluca's Corp. disclosing no parent companies, and no merger agreement (Cole, Christopher) (Entered: 06/22/2009)
06/22/2009	<u>3</u>	NOTICE of Attorney Appearance by Karyl Roberts Martin on behalf of Deluca's Corp. (Martin, Karyl) (Entered: 06/22/2009)
06/23/2009	<u>1</u>	Case assigned to Judge Paul J. Barbadoro. The case designation is: 09-cv213-PB. Please show this number with the judge designation on all future pleadings. (amm) (Entered: 06/23/2009)
06/23/2009	<u>1</u>	NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>. (amm) (Entered: 06/23/2009)
06/24/2009	<u>4</u>	Summons(es) Issued Electronically as to CSWholesale Grocers, SuperValu, Inc. NOTICE: Counsel shall print and serve the summons(es) and all attachments in accordance with Fed.R.Civ.P.4. (Attachments: # <u>1</u> Notice ECF)(amm) (Entered: 06/24/2009)

06/25/2009	<u>I 5</u>	MOTION for Joel C. Meredith to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 01020000000000525713.) filed by Deluca's Corp.. Follow up on Objection on 7/13/2009. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Joel C. Meredith)(Cole, Christopher) (Entered: 06/25/2009)
06/25/2009	<u>I 6</u>	MOTION for Steven J. Greenfogel to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 01020000000000525714.) filed by Deluca's Corp.. Follow up on Objection on 7/13/2009. (Attachments: # <u>1</u> Exhibit (Affidavit) of Steven J. Greenfogel)(Cole, Christopher) (Entered: 06/25/2009)
06/26/2009	<u>I</u>	ENDORSED ORDER granting <u>5</u> Motion to Appear Pro Hac Vice. Text of Order: Granted on the condition that Attorney Meredith complete an online ECF Registration Form within 10 days So Ordered by Magistrate Judge James R. Muirhead. ECF Registration Deadline set for 7/16/2009. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE. (mm) Modified on 6/29/2009 to add: name of the Attorney appearing pro hac vice(mm). (Entered: 06/26/2009)
06/26/2009	<u>I</u>	ENDORSED ORDER granting <u>6</u> Motion to Appear Pro Hac Vice. Text of Order: Granted on the condition that Attorney Greenfogel complete an online ECF Registration Form within 10 days So Ordered by Magistrate Judge James R. Muirhead. ECF Registration Deadline set for 7/16/2009. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE. (mm) Modified on 6/29/2009 to add: the name of the Attorney who is to ECF register (mm). (Entered: 06/26/2009)
06/29/2009	<u>I 7</u>	NOTICE of MOTION OF PLAINTIFF DELUCAS CORP. BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION by Deluca's Corp.. (Attachments: # <u>1</u> Exhibit A – Motion to Judicial Panel)(Martin, Karyl) (Entered: 06/29/2009)
07/02/2009	<u>I 8</u>	NOTICE of REVISED MOTION OF PLAINTIFF DELUCAS CORP. BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION by Deluca's Corp.. (Attachments: # <u>1</u> Exhibit A – Revised Mot to Judicial Panel)(Cole, Christopher) (Entered: 07/02/2009)
07/08/2009	<u>I 9</u>	Return of Service Executed as to CSWholesale Grocers by Deluca's Corp.. Served/Mailed on 6/30/2009. Answer due by 7/23/2009. (Cole, Christopher) (Entered: 07/08/2009)
07/08/2009	<u>I 10</u>	Return of Service Executed as to SuperValu, Inc. by Deluca's Corp.. Served/Mailed on 6/30/2009. Answer due by 7/23/2009. (Cole, Christopher) (Entered: 07/08/2009)
07/14/2009	<u>I 11</u>	Disclosure Statement by SuperValu, Inc. disclosing no parent companies, and no merger agreement <i>prusant to Rule 7.1 and LR 7.5</i> (Harrington, James) (Additional attachment(s) added on 7/15/2009: # <u>1</u> Properly signed document) (mm). (Entered: 07/14/2009)
07/14/2009	<u>I 12</u>	Disclosure Statement by CSWholesale Grocers disclosing no parent companies, and no merger agreement (MacDonald, Gordon) (Entered: 07/14/2009)
07/14/2009	<u>I 13</u>	

		Assented to MOTION to Extend Time to Answer to August 19, 2009 filed by CSWholesale Grocers. (MacDonald, Gordon) (Entered: 07/14/2009)
07/14/2009	<u>¶ 14</u>	MOTION to Stay filed by CSWholesale Grocers. Follow up on Objection on 7/31/2009. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion to Stay Proceedings Pending Action by the Judicial Panel on Multidistrict Litigation)(MacDonald, Gordon) (Entered: 07/14/2009)
07/15/2009	<u>¶</u>	ENDORSED ORDER granting <u>13</u> Motion to Extend Time to Answer re <u>1</u> Complaint – New Case,.. <i>Text of Order: Granted So Ordered by Judge Paul J. Barbadoro. Answer due by 8/19/2009. (mm)</i> (Entered: 07/16/2009)
07/20/2009	<u>¶ 15</u>	MEMORANDUM in Opposition re <u>14</u> MOTION to Stay filed by Deluca's Corp.. (Attachments: # <u>1</u> Exhibit A – Rev MOL to Deft's Joint Mot to Transfer Venue, # <u>2</u> Exhibit B – Order re Pltf's 2nd Amended Complaint, # <u>3</u> Exhibit C – 6–30–09 ltr to Judge Boylan Withdrawing Mot to Dismiss, # <u>4</u> Exhibit D – 6–30–09 ltr to Judge Boylan Withdrawing Motion to Stay, # <u>5</u> Exhibit E – Rev Motion of Plft for Trans of Actions)(Cole, Christopher) (Entered: 07/20/2009)
07/23/2009	<u>¶</u>	ENDORSED ORDER granting <u>14</u> Motion to Stay. <i>Text of Order: Granted So Ordered by Judge Paul J. Barbadoro. Status Report due by 9/23/2009. (mm)</i> (Entered: 07/23/2009)
09/23/2009	<u>¶ 16</u>	STATUS REPORT by CSWholesale Grocers, SuperValu, Inc. : Arguments before the JPML on Plaintiff's Motion to Consolidate or Coordinate will take place September 24, 2009 in Richmond, VA (MacDonald, Gordon) (Entered: 09/23/2009)
09/28/2009	<u>¶</u>	ENDORSED ORDER <u>16</u> Status Report. <i>Text of Order: Noted Signed by Judge Paul J. Barbadoro. (mm)</i> (Entered: 09/28/2009)
10/16/2009	<u>¶ 17</u>	ORDER MDL No. 1 re: conditional transfer to USDC–Minnesota. Order is not effective until filed in the transferee court. 2090. For informational purposes only (mm) (Entered: 10/19/2009)
10/22/2009	<u>¶ 18</u>	ORDER MDL FINAL ORDER case is transferred to USDC–Minnesota for proceedings pursuant to 28 USC 1407. MDL 2090 (mm) (Entered: 10/23/2009)